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Robert J. Nealon

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06/29/2009

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EXAMINER

ROBERTS, BRIAN S

ART UNIT

PAPER NUMBER

2419

MAIL DATE

DELIVERY MODE

06/29/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/666,600	Applicant(s) NEALON, ROBERT J.	
	Examiner BRIAN ROBERTS	Art Unit 2419	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- Claims 1-15 remain pending.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 114. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1, 4, 6-8, and 10-13 are objected to because of the following informalities:

- Claim 1 line 1 "ATM AAL2" should read --asynchronous transfer mode adaptation layer 2 (AAL2)--
- Claim 1 line 3 "a wireless access gateway" should read --the wireless access gateway--

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- Claim 1 line 7 "'private virtual circuits (PVCs)" should read --permanent virtual circuit (PVCs)--
- Claim 1 line 13 "the PVCs" should read --the external PVCs"
- Claim 1 line 14 "allocating individual CIDs to transcoder channels on an as needed basis" should read --allocating the individual CIDs to the transcoder channels on an as needed basis--.
- Claim 4 line 1 "ATM AAL2" should read --asynchronous transfer mode adaptation layer 2 (AAL2)--
- Claim 4 line 3 "'private virtual circuits (PVCs)" should read --permanent virtual circuit--
- Claim 4 line 12 "an internal PVC" should read --an internal AAL2 PVCs--
- Claim 4 line 14, "the external PVCs" should read "the external AAL2 PVCs"
- Claim 4 line 16 "CIDs" should read --channel identifiers (CIDs)--
- Claim 4 line 16 "to transcoder channels" should read --to the DSP channels--
- Claim 6 line 3 "the internal PVC" should read --the internal AAL2 PVC--
- Claim 6 line 1 "wherein the individual" should read --wherein instructing the intermediate node to switch the individual--
- Claim 7 line 1 "ATM AAL2" should read --asynchronous transfer mode adaptation layer 2 (AAL2)--
- Claim 7 line 3 "CID" should read --channel identifiers (CIDs)--
- Claim 7 line 3 "a wireless access gateway" should read --the wireless access gateway-
- Claim 7 line 4 "DSPs" should read --digital signal processors (DSPs)--

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- Claim 7 line 6 "PVCs" should read -- permanent virtual circuits (PVCs)--
- Claim 7 line 13 "the PVCs" should read --the external PVCs"
- Claim 7 line 14 "allocating individual CIDs to transcoder channels on an as needed basis" should read --allocating the individual CIDs to the transcoder channels on an as needed basis--.
- Claim 8 line 4 "the transcoders" should read --the DSPs--
- Claim 8 line 4 "the plurality of transcoders" should read --the plurality of DSPs--
- Claim 10 line 1 Claim 1 line 1 "ATM AAL2" should read --asynchronous transfer mode adaptation layer 2 (AAL2)--
- Claim 10 line 3 "CID" should read --channel identifiers (CIDs)--
- Claim 10 line 4 "PVCs" should read -- permanent virtual circuits (PVCs)--
- Claim 10 line 7 "among the transcoders" should read --among transcoders--
- Claim 10 line 9 "the PVCs" should read --the external PVCs"
- Claim 10 line 10 "allocating individual CIDs to transcoder channels on an as needed basis" should read --allocating the individual CIDs to the transcoder channels on an as needed basis--.
- Claim 11 line 1-2 "the allocating of individual CIDs to transcoder channels " should read --the allocating of the individual CIDs to the transcoder channels-
- Claim 11 line 4 "on the all" should read --on all--.
- Claim 12 line 1 "ATM AAL2" should read --asynchronous transfer mode adaptation layer 2 (AAL2)--
- Claim 12 line 3 "PVCs" should read -- permanent virtual circuits (PVCs)--

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- Claim 12 line 11 "the switch controller" should read --the packet switch control--
- Claim 12 line 12 "CPS" should read --common part sublayer (CPS)
- Claim 12 line 15 "external PVCs" should read --the external AAL2 PVCs--
- Claim 12 line 16 "a single packet switch control" should read --the packet switch control--
- Claim 12 line 16 "the intermediate node" should read --the at least one intermediate node--
- Claim 12 line 17 "CIDs" should read --channel identifiers (CIDs)--
- Claim 13 line 1 "ATM AAL2" should read --asynchronous transfer mode adaptation layer 2 (AAL2)--
- Claim 13 line 3 "CID" should read --channel identifiers (CID)--
- Claim 13 line 3 "a wireless access gateway" should read --the wireless access gateway--
- Claim 13 line 4 "DSPs" should read --digital signal processors (DSPs)--
- Claim 13 line 6 "PVCs and transcoder channels" should read -- permanent virtual circuits (PVCs) and the transcoder channels--
- Claim 13 line 13 "the PVCs" should read --the external PVCs--
- Claim 13 line 14 "the transcoders" should read --the DSPs--
- Claim 13 line 14 "to transcoder channels" should read --to the transcoder channels--

Appropriate correction is required.

Claim 15 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4-6 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- In reference to claim 4

Claims 4 recites the limitation "PCVs" in line 16. It is unclear whether the antecedent basis for this limitation is the external AAL2 PVCs or the internal AAL2 PVCs.

- In reference to claim 12

Claims 12 recites the limitation "PCVs" in line 17. It is unclear whether the antecedent basis for this limitation is the external AAL2 PVCs or the internal AAL2 PVCs.

- In reference to claim 5-6

Claims 5-6 are rejected as depending on a rejected base claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paajanen et al. (US 7349404) in view of Chun et al. (US 7269181)

- In reference to claim 1

In Figures 1, Paajanen et al. teaches a method for using ATM AAL2 switching within a wireless access gateway that includes providing AAL2 CID (channel identifier) switching in a wireless access gateway, the wireless access gateway having a plurality of transcoders (3), the plurality of transcoders (3) having a subset of transcoders that are available transcoders; allocating individual CIDs to transcoder channels on an as needed basis without a fixed relationship between external PVCs and transcoder channels; switching a call to any one respective transcoder (3) of available transcoders (3); and transcoding the call from a first format to a second format in the respective transcoder (column 4 lines 5-36; column 5 lines 27-54) wherein a single packet switch control (combination of Resource Manager and AAL2 connection control) is operatively connected to the external PVCs and the transcoders (3) for allocating the individual CIDs to the transcoder channels on an as needed basis. (column 5 lines 27-62)

Paajanen et al. does not teach establishing an even distribution of calls among the transcoders for an uneven call load on the external PVCs.

In Figure 2, Chun et al. teaches assigning resources from a resource pool on an as needed basis so that there is a even distribution of calls among the resources for an uneven call load. (column 3 line 27-62)

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the system and method of Paajanen et al. to include establishing an even distribution of calls among the transcoders for an uneven call load on the external PVCs as suggested by Chun et al. because having flexible access to a resource pool of transcoders prevents a particular transcoder from becoming overloaded as may happen if the resources are assigned on a permanent basis.

- In reference to claim 2

The combination of Paajanen et al. and Chun et al. teaches a system and method that covers substantially all limitations of the parent claim. In Figures 1, Paajanen et al. further teaches the switching of the call to any one respective transcoder (3) of available transcoders (3) is a function of at least one predetermined parameter, and wherein the at least one predetermined parameter comprises at least one of a state of each respective transcoder (3), and a current load on the plurality of transcoders. (column 5 lines 27-54)

- In reference to claim 3

The combination of Paajanen et al. and Chun et al. teaches a system and method that covers substantially all limitations of the parent claim. In Figures 1, Paajanen et al. further

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teaches the switching of the call to any one respective transcoder (3) of available transcoders (3) is on an as needed basis. (column 5 lines 27-54)

- In reference to claim 4

In Figure 1, Paajanen et al. teaches a method for using ATM AAL2 switching within a wireless access gateway that includes: terminating a plurality of external AAL2 PVCs at an intermediate node (1); setting up a set of internal AAL2 PVCs between the intermediate node (1) and a set of transcoders (3) that form a plurality of DSP (digital signal processor) channels; allocating a respective DSP channel, of the plurality of DSP channels for a call as a function of at least one predetermined parameter; and instructing the intermediate node (1) to switch individual AAL TYPE 2 CPS-packets of the new call from an external AAL2 PVC of the plurality of external AAL2 PVCs to an internal PVC of the set of internal AAL2 PVCs. (column 4 lines 5-36; column 5 lines 27-54) wherein single a packet switch control is operatively connected to the intermediate node (1), the external PVCs and the transcoders (3) for allocating the individual CIDs to the transcoder channels on an as needed basis. (column 5 lines 27-62)

Paajanen et al. does not teach establishing an even distribution of calls among the transcoders for an uneven call load on the external PVCs.

In Figure 2, Chun et al. teaches assigning resources from a resource pool on an as needed basis so that there is an even distribution of calls among the resources for an uneven call load. (column 3 line 27-62)

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the system and method of Paajanen et al. to include establishing an even

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distribution of calls among the transcoders for an uneven call load on the external PVCs as suggested by Chun et al. because having flexible access to a resource pool of transcoders prevents a particular transcoder from becoming overloaded as may happen if the resources are assigned on a permanent basis.

- In reference to claim 5

The combination of Paajanen et al. and Chun et al. teaches a system and method that covers substantially all limitations of the parent claim. In Figures 1, Paajanen et al. further teaches wherein at least one predetermined parameter comprises at least one of a state of the transcoders (3), a current load on the transcoders (3), and a state of the internal AAL2 PVCs. (column 5 lines 27-54)

- In reference to claim 6

The combination of Paajanen et al. and Chun et al. teaches a system and method that covers substantially all limitations of the parent claim. In Figures 1, Paajanen et al. further teaches wherein instructing the intermediate node (1) to switch the individual the individual AAL TYPE 2 CPS- packets of the new call from the external AAL2 PVC of the plurality of external AAL2 PVCs to the internal PVC of the set of internal AAL2 PVCs at the CPS layer of AAL2 on an as needed basis. (column 5 lines 27-54)

- In reference to claim 7

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In Figures 1, Paajanen et al. teaches a method for using ATM AAL2 switching within a wireless access gateway that includes providing AAL2 CID switching in a wireless access gateway, the wireless access gateway having a plurality of DSPs (3) acting as transcoders for digital representation of speech; allocating individual CIDs to transcoder channels on an as need basis without a fixed relationship between external PVCs and transcoder channels switching individual packets of a call to any one respective DSP (3) of available DSPs (3), the available DSPs (3) being a subset of the plurality of DSPs (3) and transcoding the packets of the call in the respective DSP (3) from a first encoding to a second encoding (column 4 lines 5-36; column 5 lines 27-54) wherein a single packet switch control (combination of Resource Manager and AAL2 connection control) is operatively connected to the external PVCs and the transcoders (3) for allocating the individual CIDs to the transcoder channels on an as needed basis. (column 5 lines 27-62)

Paajanen et al. does not teach establishing an even distribution of calls among the DSPs for an uneven call load on the external PVCs.

In Figure 2, Chun et al. teaches assigning resources from a resource pool on an as needed basis so that there is an even distribution of calls among the resources irrespective of any uneven call load. (column 3 line 27-62)

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the system and method of Paajanen et al. to include establishing an even distribution of calls among the DSPs for an uneven call load on the external PVCs as suggested by Chun et al. because having flexible access to a resource pool of DSPs prevents a particular

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DSP from becoming overloaded as may happen if the resources are assigned on a permanent basis.

- In reference to claim 8

The combination of Paajanen et al. and Chun et al. teaches a system and method that covers substantially all limitations of the parent claim. In Figures 1, Paajanen et al. further teaches wherein the switching of individual packets to any one respective DSP (3) of available DSPs (3) is a function of at least one predetermined parameter, and wherein the at least one predetermined parameter comprises at least one of a state of the each of the transcoders (3), and a current load on the plurality of transcoders (3). (column 5 lines 27-54)

- In reference to claim 9

The combination of Paajanen et al. and Chun et al. teaches a system and method that covers substantially all limitations of the parent claim. In Figures 1, Paajanen et al. further teaches wherein the switching of individual calls to any one respective DSP (3) of available DSPs (3) is on an as needed basis. (column 5 lines 27-54)

- In reference to claim 10

In Figures 1, Paajanen et al. teaches a method for using ATM AAL2 switching within a wireless access gateway that includes allocating individual CIDs to transcoder channels on an as needed basis without a fixed relationship between external PVCs and transcoder channels; transcoding the call in the respective transcoder channel from a first format to a second format

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(column 4 lines 5-36; column 5 lines 27-54) wherein a single packet switch control (combination of Resource Manager and AAL2 connection control) is operatively connected to the external PVCs and the transcoders (3) for allocating the individual CIDs to the transcoder channels on an as needed basis. (column 5 lines 27-62)

Paajanen et al. does not teach establishing an even distribution of calls among the transcoders for an uneven call load on the external PVCs.

In Figure 2, Chun et al. teaches assigning resources from a resource pool on an as needed basis so that there is an even distribution of calls among the resources for an uneven call load. (column 3 line 27-62)

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the system and method of Paajanen et al. to include establishing an even distribution of calls among the transcoders for an uneven call load on the external PVCs as suggested by Chun et al. because having flexible access to a resource pool of transcoders prevents a particular transcoder from becoming overloaded as may happen if the resources are assigned on a permanent basis.

- In reference to claim 11

The combination of Paajanen et al. and Chun et al. teaches a system and method that covers substantially all limitations of the parent claim. In Figures 1, Paajanen et al. further teaches wherein the allocating of individual CIDs to transcoder channels is a function of at least one predetermined parameter, and wherein the at least one predetermined parameter comprises at

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least one of a state of the each of the transcoders (3), and a current load on the all of the transcoders (3). (column 5 lines 27-54)

- In reference to claim 12

In Figures 1, Paajanen et al. teaches a system for using ATM AAL2 switching within a wireless access gateway that includes a plurality of external AAL2 PVCs; a plurality of internal AAL2 PVCs; a plurality of transcoders (3); at least one intermediate node (1) operatively connected to the external AAL2 PVCs and to the internal AAL2 PVCs; a packet switch control (combination of Resource Manager and AAL2 connection control) operatively connected to the at least one intermediate node, the plurality of internal AAL2 PVCs and the transcoders (column 5 lines 27-62); and wherein based upon an algorithm that takes into account at least a current state of each of the transcoders (3) and a current load of all of the transcoders (3), the switch packet switch control instructs the at least one intermediate node (1) to switch individual AAL2 CPS-Packets from the external AAL2 PVCs to the internal AAL2 PVCs. (column 4 lines 5-36; column 5 lines 27-54) wherein the packet switch control (combination of Resource Manager and AAL2 connection control) is operatively connected to the intermediate node (1), external PVCs and the transcoders (3) for allocating the individual CIDs to the transcoder channels on an as needed basis. (column 5 lines 27-62)

Paajanen et al. does not teach establishing an even distribution of calls among the transcoders for an uneven call load on the external PVCs.

In Figure 2, Chun et al. teaches assigning resources from a resource pool on an as needed basis so that there is an even distribution of calls among the resources for an uneven call load. (column 3 line 27-62)

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the system and method of Paajanen et al. to include establishing an even distribution of calls among the transcoders for an uneven call load on the external PVCs as suggested by Chun et al. because having flexible access to a resource pool of transcoders prevents a particular transcoder from becoming overloaded as may happen if the resources are assigned on a permanent basis.

- In reference to claim 13

In Figures 1, Paajanen et al. teaches a method for using ATM AAL2 switching within a wireless access gateway that includes providing AAL2 CID switching in a wireless access gateway, the wireless access gateway having a plurality of DSPs (3) acting as transcoders for digital representation of speech; allocating individual CIDs to transcoder channels on an as needed basis without a fixed relationship between external PVCs and transcoder channels; switching individual digital representations of speech of a call to any one respective DSP (3) of available DSPs (3), the available DSPs (3) being a subset of the plurality of DSPs (3) and transcoding the digital representations of speech of the call in the respective DSP (3) from a first encoding to a second encoding. (column 4 lines 5-36; column 5 lines 27-54) a single packet switch control (combination of Resource Manager and AAL2 connection control) is operatively

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connected to the external PVCs and the transcoders (3) for allocating the individual CIDs to the transcoder channels on an as needed basis. (column 5 lines 27-62)

Paajanen et al. does not teach establishing an even distribution of calls among the transcoders for an uneven call load on the external PVCs.

In Figure 2, Chun et al. teaches assigning resources from a resource pool on an as needed basis so that there is an even distribution of calls among the resources for an uneven call load. (column 3 line 27-62)

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the system and method of Paajanen et al. to include establishing a even distribution of calls among the transcoders for an uneven call load on the external PVCs as suggested by Chun et al. because having flexible access to a resource pool of transcoders prevents a particular transcoder from becoming overloaded as may happen if the resources are assigned on a permanent basis.

- In reference to claim 14

The combination of Paajanen et al. and Chun et al. teaches a system and method that covers substantially all limitations of the parent claim. In Figures 1, Paajanen et al. further teaches wherein the switching of individual digital representations of speech to any one respective DSP (3) of available DSPs (3) is a function of at least one predetermined parameter, and wherein the at least one predetermined parameter comprises at least one of a state of the each of the DSPs (3), and a usage level of the DSPs (3). (column 5 lines 27-54)

- In reference to claim 15

The combination of Paajanen et al. and Chun et al. teaches a system and method that covers substantially all limitations of the parent claim. In Figures 1, Paajanen et al. further teaches wherein the switching of individual digital representations of speech to any one respective DSP (3) of available DSPs (3). (column 5 lines 27-54)

Response to Arguments

Applicant's arguments filed 04/07/2009 have been fully considered but they are not persuasive.

- In the Remarks on page 8 of the Amendment with regard to the independent claims, the Applicant contends that neither Chun et al. nor Paajanen et al. teaches that a single packet switch control is operatively connected to the intermediate node, the PVCs and the transcoders for allocating individual CIDs to transcoder channels on an as needed basis.
- The Examiner respectfully disagrees. Paajanen et al. teaches a Resource Manager and AAL2 connection control co-operating for allocating channel identifier values to transcoder channels on an as needed basis (column 5 lines 27-62). The Examiner interprets the combination of the Resource Manager and AAL2 connection control to read upon the limitation a single packet switch control. Paajanin et al. further teaches that the Resource Manager and AAL2 connection control are operatively connected to the AAL2 switching unit (1), the PVCs (2) and the DSP units (3). (column 4 lines 5-28)

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN ROBERTS whose telephone number is (571)272-3095. The examiner can normally be reached on M-F 10:00-7:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL RYMAN can be reached on (571) 272-3152. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BSR

06/22/2009

/Daniel J. Ryman/

Supervisory Patent Examiner, Art Unit 2419